

Application No.: 10/618,109
Amendment Dated: January 3, 2007
Reply to Office Action of: November 2, 2006

13488HF (GLT-106US)

Remarks/Arguments:

Claims 1, 3-7 and 11 are pending in this application. With this response, claim 1 has been amended to recite that the adhesion promoter consists of polypropylene grafted with functional maleic anhydride groups. Support for this amendment is found in Applicants' specification at, for example, page 17, Example 2. Accordingly, no new matter has been introduced by this amendment. Claims 1, 3-7, and 11 remain as the pending claims in this application.

Applicants acknowledge the Office's finding that the prior art of Nakagawa et al. (U.S. Patent Application Publication No. 2003/0019598 A1) and Lin (U.S. Patent Application Publication No. 2003/0207639 A1) fail to teach an adhesion promoter consisting of a polyolefin grafted with functional maleic anhydride groups.

Rejection Under 35 U.S.C. § 103

Claims 1, 3-7 and 11 are rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent Application Publication No. 2003/0019598 A1 (Nakagawa et al.) in view of U.S. Patent No. 5,082,899 (Sawyer et al.). Applicants respectfully traverse the rejection in view of the amendments made to claim 1.

1. A filter material comprising:

at least one nonheatsealable ply; and

at least one, heatsealable ply comprising fibers of synthetic material and an adhesion promoter, wherein said adhesion promoter consists of polypropylene grafted with functional maleic anhydride groups.

The Office concedes in the Office Action dated November 2, 2006, that Nakagawa et al. fails to teach the claimed polyolefin grafted with maleic anhydride as an adhesion promoter and relies on disclosure of Sawyer et al., namely maleic anhydride grafted polyethylene fibers, to teach Applicants' claimed invention. The amended claims

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distinguish from Sawyer et al. Sawyer et al. discloses only fibers prepared from polyethylene (HDPE or LLDPE) grafted with maleic anhydride (Abstract; Col. 5, lines 30-45, cited by the Examiner). Sawyer et al., at Col. 3, line 64 to Col. 4, line 9, discloses extruding fibers from a molten mixture of linear low density polyethylene (LLDPE) and grafted linear polyethylene preferably free of polypropylene. Further, there is no disclosure or suggestion in Sawyer et al. of polypropylenes or any other polyolefins except polyethylenes, let alone polypropylene to the exclusion of other polyolefins and grafted with functional maleic anhydride groups.

As set forth in MPEP § 2143, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to combine the references. Second, there must be a reasonable expectation of success. Finally, the prior art references must teach or suggest all of the claim limitations. For at least the reason noted herein, the Applicants contend that a *prima facie* case of obviousness has not been established; in particular, the prior art references as combined fail to teach or suggest all of the claim limitations. In particular, neither of the references discloses or suggests an adhesion promoter which "consists of" polypropylene grafted with functional maleic anhydride groups.

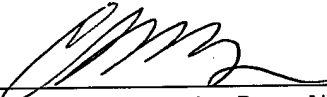
In making a rejection under Section 103, the Office is obligated to read each reference as a whole. MPEP § 2141.02. Referring to the Sawyer et al. reference, the citation used at Col. 3, line 64 to Col. 4, line 58, is a description of "polyethylenes," not "polyolefins" in general. When reviewing this reference as a whole, it is clear that Applicants' claimed polypropylene is not a part of or a sub-component of "polyethylenes." In short, for the reasons expressed above, if upon combining the teaching used by the Office Action of Sawyer et al. with Nakagawa *et al.*, the references as combined would still fail to disclose or suggest all of the claim limitations, particularly in view of the disclosure of Sawyer et al. which explicitly discloses polyethylenes free of polypropylene.

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It is respectfully submitted that the pending claims 1, 3-7 and 11 are in condition for immediate allowance and a notice to this effect is earnestly solicited. The Examiner is invited to phone applicant's attorney if it is believed that further clarification for expediting prosecution of the application.

Respectfully submitted,



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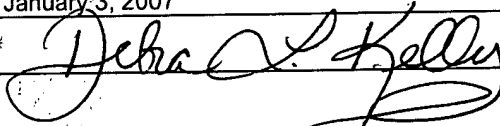
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